

BOARD OF ADJUSTMENT MEETING HELD IN THE COUNCIL CHAMBERS OF
COTTONWOOD HEIGHTS AT 6 P.M. ON MAY 11, 2006.

Members Present: Noor Ul-Hasan, James Adinaro, Debbie Tyler, Paul Throndsen

Staff Present: Planning Director Michael Black, Associate Planner Glenn Symes, City
Attorney Shane Topham, Deputy City Recorder Sherry McConkey

Others Present: Leonard & Marcie Cobb

Excused: Bob Wilde, James Holtkamp, Ferrell Jensen

Acting Chairman Paul Throndsen called the meeting to order at 06:00 p.m.

1.0 Public Comment

No public comment was given.

2.0 Variance Request – 3530 East Summerhill Drive

2.1 Mr. Symes stated that staff received a variance request for the property located at 3530 E. Summerhill Drive to allow for a garage and is in the R-1-8 zone. He explained that staff is recommending approval due to unusual circumstance of a 60 foot right of way in front of the Cobbs property and that this request does fall under the five criteria that is necessary for approval of the variance. The five criteria are as follows;

(1) Literal enforcement of the Zoning Ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the zoning ordinance.

(2) There are special circumstances attached to the property that do not generally apply to other properties in the same district.

(3) Granting the variance is essential to the enjoyment of a substantial property right possessed by other people in the same district.

(4) The variance will not substantially affect the General Plan and will not be contrary to the public interest.

(5) The spirit of the Zoning Ordinance is observed and substantial justice done.

2.2 Leonard Cobb, 3530 E. Summerhill Drive, is asking for the front yard setback variance from 25 feet to 19 feet to enable him to build a garage at the front of the house.

2.3 Chair Throndsen opened the public hearing.

2.4 No public comment was given.

2.5 **MOTION:** Mr. Adinaro moved to approve the variance for the front yard setback variance to 19 feet as per the staff recommendations listed in the staff report dated May 11, 2006. He stated that literal enforcement of the statute would cause an unreasonable hardship and would prevent Mr. Cobb the ability to have a garage of similar size and quality of others in the community. Mr. Adinaro noted there are special circumstances attached to the property that would cause a hardship. The approval of this variance would not be detrimental to the general plan or public. The motion was seconded by Ms. Ul-Hasan and passed unanimously on a voice vote.

3.0 Chair Throndsen moved to adjourn. The motion was seconded by Mr. Adinaro and passed unanimously.

Meeting adjourned at 6:19 p.m.

Approved 7-10-2006 sm